

## THE COUNTY OF CHAMBERS

ANAHUAC, TEXAS 77514

the office of  
**THE COUNTY JUDGE**  
**JIMMY SYLVIA**

POST OFFICE BOX 939  
TELEPHONE:  
409/267-8295  
1-800-682-0183  
FAX: 409/267-4453

April 13, 1999

Dockets Management Branch (HFA 305)  
Food and Drug Administration  
5630 Fishers Lane, Room 1061  
Rockville, Maryland 20852

Re: Docket Number 98P-0504

Dear FDA:

I am writing today to express my strong objection to costly and unnecessary rules, which you have been asked to consider by the Center for Science in the Public Interest.

As one who has worked with the oyster industry for many years, I can tell you first hand of the economic damage these proposed rules would inflict upon us. Reduced demand would result in reduced activity in the industry. This would reduce fuel and equipment purchases by harvesters, container purchases by shippers and processors, the need for common carrier distributors, and would reduce business and income throughout the chain from harvester to retail outlets.

The ripple effect of these proposed rules would have economic impact far beyond any benefit that would occur as a result of their imposition on the industry. Consumers should have a choice between treated oysters and fresh oysters. The small number of people who may be at real risk should heed the ample health warnings available where fresh oysters are sold and assume their own level of personal responsibility just as those who are diabetic must avoid sugar and those who are allergic to sulfites must avoid products which contain them. These products are not removed from the market or treated to eliminate sulfites, consumers are advised that they should not consume them.

I urge FDA to reject these crippling rules and allow other appropriate independent state and national bodies such as the ISSC to continue their educational and oversight activities as they have in the past.

Sincerely,

Jimmy Sylvia  
County Judge,  
Chambers County, Texas

98P-0504

C 163

# County of Chambers

JIMMY SYLVIA  
County Judge



P. O. Box 939  
409/267-8295

STATE OF TEXAS  
Anahuac, Texas 77514

THE STATE OF TEXAS  
COUNTY OF CHAMBERS

} IN THE COMMISSIONERS COURT  
OF CHAMBERS COUNTY, TEXAS

## RESOLUTION

WHEREAS, Oysters and other shellfish are a treasured treat for millions of Americans in every state; and

WHEREAS, The American consumer has always enjoyed a fundamental choice between products of all types; and

WHEREAS, Personal responsibility and care for one's own health and well-being are commonly agreed upon tenets of American life; and

WHEREAS, Important emerging technologies are now making it possible for consumers of oysters and other shellfish products to choose between traditional raw shellfish products and "treated" or pasteurized shellfish products in a competitive free market environment, and

WHEREAS, It is widely accepted by all parties involved that "treated" oysters will both fundamentally change the condition of raw shellfish, and that such treatment raises the wholesale price of oysters from the current price of approximately eight cents a piece by another six to eight cents a piece, and

WHEREAS, It is reasonable to expect in a free market economy that these higher prices will then be passed along to the consumer, resulting in lower demand for oysters, and

WHEREAS, America's shellfish industry is heavily populated by small self-employed harvesters and leaseholders already operating on limited incomes, and

WHEREAS, Lower consumer demand could further threaten the small shellfish industry and the livelihoods of thousands of area residents and families who are dependent on oyster harvesting and processing for their own well-being, and

WHEREAS, The U.S. and Drug Administration has been asked to consider new rules which would force costly and unnecessary post-harvest treatment of oysters, placing product from our area at a severe competitive disadvantage on the open market against product from other regions which will not be required to be treated in the same expensive manner, and

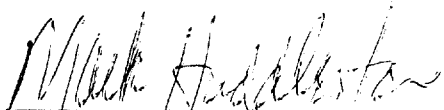
WHEREAS, America's oyster and shellfish industry has worked cooperatively and with great success to educate consumers with certain health conditions and risks which may be affected by certain types of shellfish, and

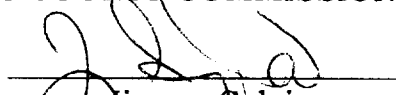
WHEREAS, These education efforts have been highly successful in reducing health impacts when they have been allowed to fully flourish, and

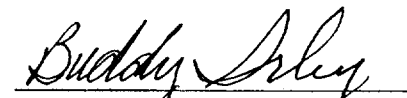
NOW, THEREFORE, BE IT RESOLVED, that a copy of this resolution be forwarded to the U.S. Food and Drug Administration, our Congressional delegation, the Governor and other state elected officials, and

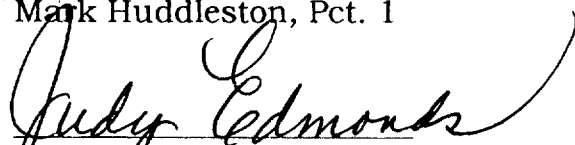
BE IT FURTHER RESOLVED that the Chambers County Commissioners Court does hereby encourage the U.S. Food and Drug Administration to reject these costly and unnecessary rules and regulations in favor of continuing its successful work with America's shellfish industry toward greater consumer education and awareness, and toward the continuation of a competitive market economy system which has served America's shellfish industry toward greater consumer education and awareness, and toward the continuation of a competitive market economy system which has served America's consumers well since the founding of our nation.

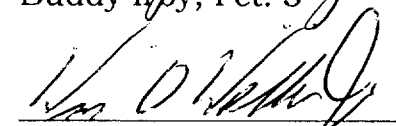
CHAMBERS COUNTY COMMISSIONERS COURT

  
Mark Huddleston, Pct. 1


  
Jimmy Sylvia  
County Judge

  
Buddy Irby, Pct. 3

  
Judy Edmonds, Pct. 2

  
~~Bill Wallace~~, Pct. 4  
BILL WALLACE

ATTEST:

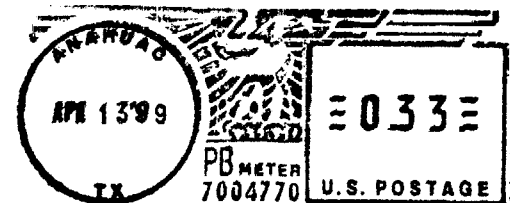
  
Norma W. Rowland, Chambers  
County Clerk



JIMMY SYLVIA  
CHAMBERS COUNTY JUDGE

POST OFFICE BOX 939  
ANAHUAC, TEXAS 77514

*ADDRESS CORRECTION REQUESTED*



Dockets Management Branch (HFA 305)  
Food and Drug Administration  
5630 Fishers Lane, Room 1061  
Rockville, Maryland 20852

20857/0001

